

**MADISON COUNTY PLANNING BOARD  
MEETING MINUTES  
Madison County Administration Building, Public Meeting Room  
09/27/2021**

**1. Call to Order:** 6:01 P.M. by Vice-President Steven Janzen.

**2. Roll Call:**

Members present: Laurie Schmidt, Pat Bradley, David Laufenberg, Steve Janzen, Del Bieroth, Tamara Millican-Wood, Rita Owens and Darlene Tussing (late).

Members virtual: \*due to technical difficulties, Lincoln Roberts and Jackie Lev were not able to log in to meeting.

Members not present: April Gerth

**Staff present:** Alex Hogle (Planning Director), Samantha Devore (Planning Technician) and Michelle Schriock (Planning Clerk)

**Others present:**

Virtual: Beth Famiglietti (MB MT Acquisition) – also had log in difficulties, as well as Kevin Germain. Because of these difficulties it is unknown who else had them.

**3. Minutes:**

- August 30, 2021

<p><b>MOTION: To approve July 26, 2021 minutes with corrections. Moved by Schmidt; seconded by Owens. Motion carried.</b></p>
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**4. President's Comments:**

**5. Opportunity for Public Comment for items not on the agenda:**

**6. Statement of Conflict of Interest/Ex Parte Communications:** No comments.

**7. Subdivision Regulations Review Committee:** Hogle provided an overview of the information provided in the planning board packet. Schmidt asked if the definitions in the packet were applicable to what was discussed at the last planning board meeting with the exception of the road standards, which shouldn't be included in this revision. Hogle discussed the tracking document of changes and how it will be available to the public, planning board and developers for viewing prior to the public hearing in October. October 14, 2021 will be the first legal notice in the Madisonian for the hearing and the subsequent notice will be in the October 21, 2021 Madisonian as well. Janzen asked what Hogle was wanting to accomplish this evening. Hogle stated after the planning board's review and any additions or changes he will create the document for the public hearing as a whole. The subdivision regulations document will be named 'MSTA-21-01'. Hogle referred the board to the handout memo dated September 24, 2021. In this memo 'Lands Unsuitable for Development' (MCA 76-3-608) is addressed as are Building Envelopes and Gated Communities. Hogle provided language for Chapter IV-3 (3) in the 'working copy' of the subdivision text amendment. After discussion, the board agreed to the following language:

#### **Lands considered Unsuitable for Development**

Lands that the governing body determines unsuitable for subdivision because of natural or human caused hazards shall not be subdivided for building or residential purposes unless the hazards are eliminated or will be overcome by approval design and construction techniques. The design and development of subdivisions must provide satisfactory building sites which are properly related to topography, and should, to the extent possible, preserve the natural terrain, natural drainage, existing top soils, trees and other existing vegetation.

#### **d. Wildlife and Wildlife Habitat**

If County review determines that a proposed subdivision may significantly negatively impact wildlife, and/or wildlife habitat and/or recognized wildlife corridors, a building setback, building envelope, no-build zone, or other special design/development standards may be required in order to mitigate project impacts.

#### **Add Under A:**

- (12) Lack of adequate available public services (i.e. roads, emergency services, plowing, bussing, etc.);
- (13) Within Wildland-Urban Interface area, land ranked in the high or extreme fire risk category which cannot be mitigated to achieve a moderate fire risk rating.

Hogle then redirected board to memo from September 24, 2021 regarding building envelopes. He discussed the history of them; they are not in statute but a very regular process in Madison County. He also noted that examples with building envelopes in areas such as mining claims or other potential hazards, there is concern for liability in a building envelope. Building envelopes will be reshaped to accommodate for wetlands or make it a no-build zone. Hogle noted that this language will not detract from property value, viewshed locations or marketing. Hogle added language to number 6 (IV-A-6) to read as:

**Building envelopes may be required on lots containing unsuitable development characteristics or environmentally sensitive features, as determined and recognized by the governing body in its review and approval of the preliminary plat application. When required by the governing body in order to mitigate impacts to the applicable review criteria, building envelopes shall be shown on the face of the final plat. When proposed by an applicant for elective purposes (i.e. aesthetics, views, marketing, etc) a building envelope plan may be filed and managed by the Home Owners Association.**

**When building envelopes are included on the final plat, a building envelope change will require an amended plat (see Chapter V-H of these regulations and APPENDIX 33). Where an elective building envelope plan is filed with a homeowners association (after adoption of this provision) a building envelope change will entail the review and approval by the homeowners association.**

Hogle, referring to the memo for the second language change regarding 'Gated Communities'. A draft change of language reads as:

**Gated subdivisions are not permitted. Subdivision of lots or open areas within existing gated subdivisions will necessitate removal of existing gate(s).**

The board agreed with all of the new language with some modifications. Further discussion included how many copies of the new document are being made, the availability for viewing publicly and locations of where physical copies will be available.

8. **Monthly Report:** Schmidt inquired about the Planner I position. Hogle stated that 2 (two) applicants applied and interviewed but were not qualified for the position. He said that he would revisit it in the early Spring of 2022. Schmidt asked if understaffed, why not keep the position open and hire. Hogle stated the position is open but with upcoming work on subdivisions, it would be difficult to try to train another new staff.

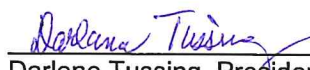
Hogle asked if there could be a place holder on the agenda for 'Planning Staff Report' for discussion that has bearing that the planning board should be made aware of, recent developments, etc. No action would be required on this agenda item, it would be just an update for the planning board of things that may come before the next meeting. After discussion, 'Planner Update' will be a place holder on the agenda. Hogle discussed a follow-up email from Montana Department of Transportation (MDT). MDT is wanting a second access to Big Sky because of traffic congestion and that would end up being the Jack Creek Road access. Hogle updated the planning board that the new floodplain maps will be out for review in early 2022. He also discussed his recent attendance at the MAP (Montana Association of Planners) Conference. Some topics of interest were short-term housing/rentals (i.e. VRBO, B & B, etc.). Hogle did attend a workshop and field trip for the affordable housing developments in Missoula, he described how the housing looked and the range for this housing was \$200,000.00.

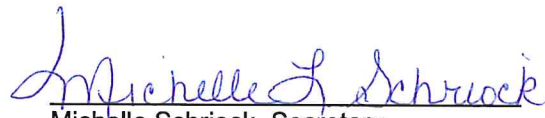
9. **Planning Board Member Reports:**

- o **David Laufenberg** The AmeriCorps position has been extended including a living stipend of \$400.00 per month to help with housing costs. They are also having regular weekly staff meetings in the office.

10. **Adjournment:**

The meeting was adjourned at 8:28 p.m.

  
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Darlene Tussing, President

  
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Michelle Schriock, Secretary